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March 29, 1985

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Re: United States of America, et al. vs.
Reilly Tar & Chemical Corporation, et al.
Our File No. 3857-011
Civil File No. 4-80-469

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All Counsel
Page Two
March 29, 1985

Dear Counsel:

Enclosed please find the City of St. Louis Park's Amended Notice of Motion and Motion for Leave to File Second Amended Complaint in the above-captioned matter.

Please note that this motion, previously scheduled for Friday, March 29, 1985, has been rescheduled for Friday, April 19, 1985 at 9:00 a.m. in Court Room No. 3 of the St. Paul Federal Courts Building before Judge Magnuson.

Very truly yours,

Elizabeth A. Thompson / JTB

Elizabeth A. Thompson

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Enclosure
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UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

FOURTH DIVISION

United States of America,
Plaintiff,

and

State of Minnesota, by its
Attorney General Warren
Spannaus, its Department of
Health, and its Pollution
Control Agency,

Plaintiff-Intervenor,

Reilly Tar & Chemical Corp.;
Housing and Redevelopment
Authority of St. Louis Park;
Oak Park Village Associates;
Rustic Oaks Condominium, Inc.;
and Philips Investment Co.,

Defendants,

and

City of St. Louis Park,

Plaintiff-Intervenor,

vs.

Reilly Tar & Chemical Corp.,

Defendant,

and

City of Hopkins,

Plaintiff-Intervenor,

vs.

Reilly Tar & Chemical Corp.,

Defendant.

Civ. File No. 4-80-469

PLAINTIFF-INTERVENOR
CITY OF ST. LOUIS PARK'S
AMENDED NOTICE OF MOTION
AND MOTION FOR LEAVE TO
FILE SECOND AMENDED
COMPLAINT

TO: Stephen Shakman, Dennis Coyne, Lisa Tiegel, Minnesota Pollution Control Agency, 1935 West County Road B2, Roseville, Minnesota 55113, attorneys for State of Minnesota; and

Edward J. Schwartzbauer, Dorsey & Whitney, 2200 First Bank Place East, Minneapolis, Minnesota 55402, attorneys for Reilly Tar; and

Francis X. Hermann, Assistant U.S. Attorney, 234 U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minnesota 55401, attorneys for United States; and

Gary Hansen, Stopelstad, Brown & Smith, 445 Minnesota Street, St. Paul, Minnesota 55401, attorneys for City of Hopkins; and

Robert Leininger, Enforcement, USEPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60606; and

Lawrence R. Waldoch, Lindquist & Vennum, 4200 IDS Center, Minneapolis, Minnesota 55402, attorneys for Oak Park Village; and

James T. Swenson, Mackall, Crounse & Moore, 1600 TCF Tower, Minneapolis, Minnesota 55402, attorneys for TCF Service Corp.; and

Thomas W. Wexler, Peterson, Engberg & Peterson, 700 Title Insurance Building, Minneapolis, Minnesota 55401, attorneys for Phillips Investment; and

David Hird, Environmental Enforcement Sec., Land & Natural Resources, Div. U.S. Department of Justice, 10th & Pennsylvania Avenue, N.E., Washington, D.C. 20530, attorneys for the United States.

PLEASE TAKE NOTICE that on the 19th day of April, 1985, at 9:00 a.m., or as soon thereafter as counsel may be heard, before the Honorable Paul A. Magnuson, United States District Judge, in Court Room No. 3 of the United States District Courthouse, 316 North Robert Street, St. Paul, Minnesota, the City of St. Louis Park will move the Court for an Order granting it leave to file its Second Amended Complaint in Intervention. Please take notice that this motion was previously scheduled for March 29, 1985.

This Motion is based upon Federal Rule of Civil Procedure 15. The Motion seeks the Court's permission to add an additional claim based on the provisions of the Minnesota Environmental Response and Liability Act, Minn. Stat. Section 115B.01, et seq., which became effective on July 1, 1983.

Dated: March 29, 1985

POPHAM, HAIK, SCHNOBRICH, KAUFMAN &
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